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DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	<b>BOARD OF DENTISTRY &amp; DENTAL HYGIENE</b>
DATE AND TIME:	<b>Thursday, December 17, 2015 at 3:00 p.m.</b>
PLACE:	<b>Cannon Building, Second-Floor Conference Room A 861 Silver Lake Boulevard, Dover, DE 19904</b>
APPROVED:	

#### **MEMBERS PRESENT**

Brian McAllister, DMD, Professional Member, President  
Thomas A. Mercer, DDS, Professional Member, Secretary  
Lucinda Bunting, DMD, Professional Member  
Sharon Welsh, DDS, Professional Member  
Bruce Matthews, DDS, Professional Member  
Carol Argo, RDH, Professional Hygiene Member  
Nathaniel Gibbs, Public Member  
Mary Trinkle, RDH, Hygiene Advisory Member  
Buffy Parker, RDH, Hygiene Advisory Member  
Rozi Berberian, Public Member  
Rumiko Nelson, RDH, Hygiene Advisory Member

#### **MEMBERS ABSENT**

June Ewing, Public Member

#### **DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Jennifer Singh, Deputy Attorney General  
Flora Peer, Administrative Specialist II

#### **PUBLIC PRESENT**

Dr. Keith Nguyen  
Dr. Robert Carter

#### **CALL TO ORDER**

Dr. McAllister called the meeting to order at 3:02 p.m.

#### **REVIEW AND APPROVAL OF MEETING MINUTES**

The Board reviewed the minutes of the October 15, 2015 Board meeting. Mr. Gibbs made a motion, seconded by Ms. Parker, to approve the minutes as presented. By unanimous vote, the motion carried.

### **PROPOSAL TO DENY HEARING – Mimi Yeung**

**BOARD PRESENT:** Brian McAllister, DMD, Thomas A. Mercer, DDS, Lucinda Bunting, DMD, Sharon Welsh, DDS, Bruce Matthews, DDS, Carol Argo, RDH, Nathaniel Gibbs, Mary Trinkle, RDH, Buffy Parker, RDH, Rozi Berberian, Rumiko Nelson, RDH

**PRESIDING:** Brian McAllister, DDS, President

**BOARD STAFF:** Flora Peer, Administrative Specialist II

**BOARD COUNSEL:** Jennifer Singh, Deputy Attorney General

**RESPONDENT:** Mimi Yeung

**COURT REPORTER:** Robert Wayne Wilcox Jr.

The hearing went on record at 3:04 p.m. Ms. Singh and the Board members introduced themselves for the record. At its meeting on Oct Board reviewed and PTD Dr. Yeung's application. Based on States Exhibit 1 application and correspondence from the Board for the hearing. Ms. Singh asked Dr. Yeung if she had any documentation. Dr. Yeung submitted supporting documents. Dr. Yeung explained that one case should be dropped on January 20.

Dr. Yeung explained the second case.

Ms. Singh questioned if Dr. Yeung had any witnesses. Dr. Yeung called Grace Luo as her witness. Dr. Luo was sworn in. Dr. Luo stated that she is interested in hiring Dr. Yeung at her existing practice and that she did not feel that the pending cases should stop her from becoming licensed in Delaware.

Dr. Yeung added that the office where she worked the second case she did not like the environment and left.

Dr. Matthews questioned Dr. Yeung about the status of the cases.

Dr. McAllister questioned Dr. Yeung about the second case.

Ms. Argo asked Dr. Yeung if the patient in the second case came in for a follow up appointment. Dr. Yeung confirmed that the patient did not come in for a follow up appointment.

The Board entered deliberations at 3:20 p.m.

Dr. McAllister stated that the case seemed frivolous in nature and that he wasn't aware that there was no follow up. Dr. Welsh agreed.

Dr. McAllister questioned that if Dr. Yeung was approved and then she was found guilty would the Board be notified. Ms. Singh stated that, under § 1131 of the Statute, Dr. Yeung has a duty to self-report.

The Board concluded deliberations at 3:22 p.m.

Dr. McAllister made a motion, seconded by Dr. Welsh, to grant license by examination. By unanimous vote, the motion carried.

The hearing concluded 3:24

### **UNFINISHED BUSINESS**

#### **Review Definition of Nonprofit**

Dr. McAllister stated that there was confusion with the definition on nonprofit. Ms. Singh had prepared proposed language for nonprofits. Dr. McAllister made a motion seconded by Dr. Mercer to accept the changes as written. By unanimous vote, the motion carried.

### **NEW BUSINESS**

### Ratification of Licenses

Dr. McAllister made a motion seconded by Ms. Argo to ratify the below licensure of:

#### Dental Hygienists

Meron Yared  
Deborah Austin  
Suzanne Boccella  
Caroline Krauss

#### Restricted Permit II

Tarlan Arshian  
Kaitlyn Lotti

### Applications for Review

#### Robert Carter – Discipline in NJ\* and PA

Dr. McAllister stated that Dr. Carter reported passed instances. Dr. Carter was present to address the Board. Dr. Carter outlined the discipline he had in NJ. Dr. McAllister stated that Dr. Carter's Pennsylvania license had a requirement that Dr. Carter cannot be issued an anesthesia permit. Dr. Mercer asked if both his NJ and PA licenses are active Dr. Carter said yes, he just renewed his NJ license. Dr. Mercer made a motion, seconded by Dr. Matthews, to grant Dr. Carter licensure by examination. The motion carried by majority with Dr. Welsh abstained.

#### Javier Sanz Moliner

Dr. McAllister reviewed Javier Sanz Moliner for the Board. Dr. Welsh stated his periodontal school was in the United States. The Board discussed licensure requirements and Dr. Sanz Moliner's application. Dr. McAllister made a motion to, seconded by Dr. Mercer, to approve Dr. Sanz Moliner for licensure pending passing the Dental exam. By unanimous vote, the motion carried.

### **CONTINUING EDUCATION APPROVAL**

#### American Educational Institute, "The 2015 – 2016 Medical – Dental – Legal Update", Requesting 18.25 CEUs

Dr. Mercer reviewed the American Educational Institutes request for the Board.

#### Charis O'Connor, "Complex Orthodontic Cases", Requesting 1 CEU

Dr. Mercer reviewed Charis O'Connor's request for the Board. Dr. O'Connor requested 1 CEU for the course "Complex Orthodontic Cases". Sr. Mercer made a motion, seconded by Dr. Welsh, to approve the course for 1 CE. By unanimous vote the motion carried.

### Discussion of Fee Splitting

The Board discussed hygienists getting kick-backs for referrals. Ms. Singh stated that she would have a proposed regulation prepared for the January meeting.

### **COMPLAINT UPDATES**

New Complaints – None

Dismissed by the Division of Professional Regulation – None

Forwarded to the Office of the Attorney General – None

### **DISCIPLINE AND COMPLIANCE**

#### Keith Nguyen – Petition to Lift Probation

Dr. McAllister stated that Dr. Nguyen has met all of the requirements in the order. Dr. Matthews made a motion, seconded by Mr. Gibbs, to lift Dr. Nguyen's probation. By unanimous vote, the motion carried.

**CORRESPONDENCE**

There was no correspondence.

**OTHER BUSINESS BEFORE THE BOARD**

The Board discussed the public members scheduled for the exam days.

**PUBLIC COMMENT**

There was no public comment.

**NEXT MEETING**

The next meeting will be January 21, 2016 at 3:00 p.m. in Conference Room A located on the second floor of the Cannon building at 861 Silver Lake Boulevard, Dover, DE.

**ADJOURNMENT**

There being no further business to discuss, Ms. Argo made a motion, seconded by Mr. Gibbs, to adjourn the meeting at 5:50 p.m. By unanimous vote, the motion to adjourn carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Flora Peer". The signature is fluid and cursive, with the first name "Flora" written in a larger, more prominent script than the last name "Peer".

Flora Peer  
Administrative Assistant II

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*